

This record is a partial extract of the original cable. The full text of the original cable is not available.

C O N F I D E N T I A L DAMASCUS 005790

SIPDIS

PARIS FOR ZEYA, LONDON FOR TSOU

E.O. 12958: DECL: 11/02/2015

TAGS: [PGOV](#) [KJUS](#) [SY](#)

SUBJECT: DISMISSAL OF SYRIAN JUDGES POORLY PLANNED, BADLY EXECUTED

REF: DAM 5433

Classified By: CDA Stephen A. Seche for reasons 1.4 b/d

11. (C) In the wake of the October dismissal of 81 judges on corruption charges (reftel), Poloff spoke to Ghimar Deeb, a Syrian lawyer who works as a legal consultant for UNDP in Damascus. Deeb said there were two ways to view the dismissals. From the average Syrian's perspective, the dismissal of four percent of Syria's 2,125 judges was long-needed and welcome, given the rampant corruption that affects most people's daily life.

12. (C) From a legal perspective, however, the process used to identify and dismiss the judges violated constitutional norms, Deeb said. The Minister of Justice selected the judges after visiting courts throughout Syria and listened to word-of-mouth reports, Deeb said. (Note: We have heard from other contacts that the SARG security services were also involved in investigating judges and contributing names to the list.) At a separate meeting with Charge and PolChief, Deeb also noted that the subsequent decree dismissing the judges, which was signed by President Bashar al-Asad, violated the process for such dismissals contained in the Syrian Constitution, and left judges without a way to appeal their cases or plead that errors had been made. Deeb highlighted the case of one dismissed judge, whom he knew well, who was an elderly man from Latakia, until recently serving as a lower court judge in Damascus. Deeb said the man was honest and of very modest means, taking the bus to work every day.

13. (C) Despite questions about the process, the public was so fed up with corruption that it that it would probably welcome further dismissals, said Deeb, noting that the government could also justly disbar "hundreds" of lawyers on grounds of corruption. It is difficult to predict when further dismissals might occur or which Syrian authority would initiate such a move, Deeb said.

14. (C) Comment: We have heard other limited anecdotal evidence that some of the 81 dismissed judges were not corrupt and that the manner in which the dismissals took place lacked transparency and due process. Like many political and economic reform efforts undertaken during Bashar al-Asad's term of office, this one bears the hallmark of poor planning and execution, and has invited criticism -- often by the very reformers who had called for action -- that the specific steps taken included ill-advised aspects and uncertain prospects for enhancing real reform. (Note: Deeb graduated in 1995 with a law degree from the University of Damascus and worked as an assistant public prosecutor from 1996 to 1997.)

SECHE